

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

QUILIE ZEIGLER,	:	CIVIL NO. 1:16-CV-1895
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
CORRECT CARE SYSTEMS,	:	
DOCTOR FROMMER,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 12th day of July, 2017, upon consideration of plaintiff's amended complaint (Doc. 9), and the court noting that leave to amend should be liberally given "when justice so requires", FED. R. CIV. P. 15(a)(2), and since, as a matter of law, an amended complaint takes the place of the original complaint, effectively invalidating any original complaint, see Palakovic v. Wetzel, 854 F.3d 209, 220 (3d Cir. 2017) ("in general, an amended pleading . . . supersedes the earlier pleading and renders the original pleading a nullity"), and any motion to dismiss challenging the original complaint is now moot, see 6 Charles Alan Wright, Arthur R. Miller & Mary Kay Kane, *Federal Practice & Procedure* § 1476 (2d ed. 1990) ("A pleading that has been amended . . . supersedes the pleading it modifies. . . . Once an amended pleading is interposed, the original pleading no longer performs any function in the case and any subsequent motion made by an opposing party should be directed at the amended pleading"), it is hereby ORDERED that:

1. The amended complaint (Doc. 9) is accepted as filed and this matter will proceed on the amended complaint.
2. The pending motion (Doc. 4) to dismiss the original complaint is DISMISSED as moot, but without prejudice to defendant Correct Care Solutions, LLC renewing the motion as to the amended complaint.

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania